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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/092,984

03/07/2002

Bruce J. Serbin

DP-301646

1472

7590

06/29/2004

Francis J. Fodale
Reising, Ethington, Barnes, Kisselle,
Learman & McCulloch, P.C.
P.O. Box 4390
Troy, MI 48099

EXAMINER

LEON, EDWIN A

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/092,984

Applicant(s)

SERBIN ET AL.

Examiner

Edwin A. León

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4, 6-13, 15 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3, 4, 6-13 and 20 is/are allowed.
- 6) ☒ Claim(s) 2, 15 and 18-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed April 12, 2004 in which Claim 20 has been amended has been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 2, 15 and 18 rejected under 35 U.S.C. 102(b) as being anticipated by Turner (U.S. Patent No. 3,182,282). With regard to Claims 15 and 18, Turner discloses an electrical connection comprising: an elongated solid conductor (4) having a longitudinally extending groove (Fig. 5, groove in which 7 enters, Fig. 8, groove in which 21a-d enter); and a terminal (17) having a base portion (19), a first wing (21-a-d) and a second wing (21-a-d), the base portion (19) engaging the solid conductor (4), the first and second wings (21-a-d) projecting laterally outward and in opposite directions from the base portion (19), the first wing (21-a-d) and the second wing (21-a-d) curling about the solid conductor (4) and projecting into the groove (Fig. 5, groove in which 7 enters,

Fig. 8, groove in which 21a-d enter), the first wing (21-a-d) and the second wing (21-a-d) engaging each other within the groove (Fig. 5, groove in which 7 enters, Fig. 8, groove in which 21a-d enter) to resist spring-back of the first and second wings, the terminal (17) having a portion (Fig. 7) at the opposite end for mating with another conductor (3), the elongated solid conductor (4) being of one piece construction and the first wing (21-a-d) and the second wing (21-a-d) curling solely about the elongated solid conductor (4) of one piece construction. The method limitations are deemed inherent and are rejected as shown above. See Figs. 1-9.

With regard to Claim 2, Turner discloses an outer surface of the terminal (17) carried by the base portion (19), the first wing (21-a-d) and the second wing (21-a-d); and the outer surface having a first distal edge portion (25a-d) carried by the first wing (21-a-d) and disposed within the groove (Fig. 5, groove in which 7 enters, Fig. 8, groove in which 21a-d enter) and a second distal edge portion (25a-d) carried by the second wing (21-a-d) and disposed within the groove (Fig. 5, groove in which 7 enters, Fig. 8, groove in which 21a-d enter), the first and second distal edge portions (25a-d) being engaged to prevent spring-back of the first and second wings (21-a-d) out of the groove (Fig. 5, groove in which 7 enters, Fig. 8, groove in which 21a-d enter). See Figs. 1-9.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Turner (U.S. Patent No. 3,182,282). Turner discloses the claimed invention as shown above except for the portion in the conductor having a V-shaped cross section.

However, it would have been obvious to have the portion in the conductor having a V-shaped cross section instead of the U-shape shown in Fig. 8 since applicants have presented no explanation that these particular configurations of the V-shape is significant or is anything more than one of numerous configurations a person of ordinary skill in the art would find obvious for the purpose of receiving forming a groove to receive the curled wings. A change in shape is generally recognizing as being within the level of ordinary skill in the art. In re Dailey, 149 USPQ 47 (CCPA 1976).

Allowable Subject Matter

6. Claims 3-4, 6-13 and 20 are allowed for the reasons stated in the Office Actions of August 15, 2003 and April 2, 2004.

Response to Arguments

7. Applicant's arguments filed April 12, 2004 have been fully considered but they are not persuasive. In response to Applicant's arguments regarding Claims 15 and 18,

that the Turner reference does not show the base engaged with the solid conductor, Applicant is reminded that the term "engaging" means connecting or holding. As shown in Fig. 4 of Turner, the base portion (19) can be considered as being engaged to the solid conductor (4). It is the Examiner's opinion that Applicant's claims read on the Turner reference in their broadest interpretation.

In response to Applicant's arguments that the Turner reference doesn't show the solid conductor and the terminal being separate pieces, the limitation on which Applicant relies (the solid conductor and the terminal being separate pieces) is not stated in the claims. It is the claims that define the claimed invention, and it is claims, not specifications that are anticipated or unpatentable. *Constant v. Advanced Micro-Devices Inc.*, 7 USPQ2d 1064.

In response to Applicant's arguments regarding Claim 19, that the Turner reference does not show the conductor having a V-shaped cross section, Applicant has not provided a reason or an explanation on why this particular configuration is significant or patentably distinct from Turner's configuration. It is the examiner opinion that it would have been obvious to have the portion in the conductor having a V-shaped cross section instead of the U-shape shown in Fig. 8 since a change in shape is generally recognizing as being within the level of ordinary skill in the art.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

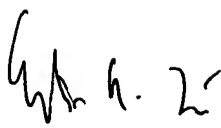
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (571) 272-2008. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800, extension 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2833

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


P. AUSTIN BRADLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800


Edwin A. Leon
AU 2833

EAL
June 24, 2004